

AF/1631  
#PATENT  
Attorney Docket 054800-5015

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Roderic Dale et al.**Application No. **09/408,761**Filed: **September 29, 1999**For: **Methods for Production of Arrays with  
Modified Oligonucleotide and Polynucleotide  
Compositions**Examiner: **Marianne Allen**Group Art Unit: **1631****RECEIVED****OCT 03 2003****TECH CENTER 1600/2900****Mail Stop AF**

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Arlington, VA 22202

**TRANSMITTAL FORM**

- Transmitted herewith is an Amendment After Final Under 37 C.F.R. 1.116 in response to the Office Action dated December 24, 2002 and subsequent to the Notice of Appeal filed May 27, 2003.
- Extension of Time:** The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. Applicants petition for a two-month extension of time from July 27, 2003 to September 27, 2003, the fee for a small entity which is **\$205.00** as set out in 37 C.F.R. 1.17(a). This response is being filed under the next business day rule on Monday, September 29, 2003 as the due date for responding fell on a weekend (Saturday, September 27, 2003). The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.
- Fee Calculation** (37 C.F.R. 1.16):

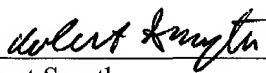
CLAIMS AS AMENDED						
	Remaining		Previously Paid	Extra	Rate	Total Fees
Total Claims	12	minus	20	0	\$18 each=	0.00
Independent Claims	1	minus	3	0	\$84 each=	0.00
First presentation of Multiple dependent claim					\$280.00	0.00
Sub-total =						0.00
Reduction by 1/2 for filing by a small entity						0.00
Total Fee =						0.00

- Fee Payment:** The Commissioner is hereby authorized to charge **\$205.00** to Deposit Account No. 50-0310 for payment of the two-month extension of time fee.

5. Constructive Petition: **Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **September 29, 2003**  
Morgan, Lewis & Bockius LLP  
Customer No. **09629**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
202-739-3000

Respectfully submitted,  
**Morgan, Lewis & Bockius LLP**

  
Robert Smyth  
Registration No. 50,801



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In re Application of: **Roderic Dale et al.**

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For: **Methods for Production of Arrays with  
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Examiner: **Marianne Allen**

Group Art Unit: **1631**

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**AMENDMENT AFTER FINAL UNDER 37 C.F.R. 1.116**

This amendment is filed in response to the Office Action mailed December 24, 2002, and subsequent to the Notice of Appeal filed May 27, 2003, the period for response to which extends through September 27, 2003 with a petition for a two-month extension of time. This response is being filed under the next business day rule on Monday, September 29, 2003 as the due date for responding fell on a weekend (Saturday, September 27, 2003). Applicants respectfully request entry of the following amendments:

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks/Arguments** begin on page 5 of this paper.

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